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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/783,375	02/14/2001	Douglas Michael Johnescu	BERG-2572/C2685	2317

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EXAMINER

TSUKERMAN, LARISA Z

ART UNIT

PAPER NUMBER

2833

DATE MAILED: 07/01/2003

14

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/783,375

Applicant(s)

JOHNESCU, DOUGLAS MICHAEL

Examiner

Larisa Z Tsukerman

Art Unit

2833

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 15 April 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 34-37 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 34-37 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☒ The proposed drawing correction filed on 15 April 2002 is: a) ☒ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**Claims 34-37** are rejected under 35 U.S.C. 103(a) as being unpatentable over Wilhite (5338231) in view of Lemke et al. (6241535).

**In regard to claim 34**, Wilhite discloses an electrical connector 10, comprising:

A housing 12 having a retention structure 49 and plurality of channels 16 extending in a first direction, a plurality of openings formed therein (not marked, see Fig. 4 and Col.4, lines 1-5),

A plurality of preloaded (Col. 3, line 11) compression contacts 14 with each mounted in the respective channel, each contact comprising:

A medial section 26,

A mounting portion (a section from 38-34) extending from one end of the medial section and having a mounting tab (28-34) (see Fig. 4), the mounting tab extending through a respective one of the openings (not marked, see Fig. 4 and Col.4, lines 1-5) and contacting the housing so that the housing restrains the contact (see locking tab 36 and Col.3, lines 22-25) in the first direction;

A compressive mating portion 30 extending from another end of the medial section and having a distal end 32, wherein the retention structure of the housing

engages the distal ends of the compressive mating portions of the contacts to preload the contacts (Col. 3, line 11). However, Wilhite does not disclose a plurality of recesses and that each of the openings extending between a respective one of the channels and respective one of the recesses.

Lemke teaches a well-known alternative way **to attach** a contact mounting tab 76, which extending through a respective one of openings 64, to a substrate 54 (connector) by using solder a ball 74, which needs a recess 70 to place the solder ball (see Fig.4). Therefore, it would have been obvious to one of ordinary skill in the art to at the time the invention was made to utilize the well-known alternative way **to attach** the contact by using the solder ball, as taught by Lemke, in the structure of Wilhite; also, when Wilhite is modified by Lemke, each of the openings extending between a respective one of the channels and respective one of the recesses, as claimed.

**In regard to claim 35**, Wilhite modified by Lemke discloses a plurality of fusible elements 74, wherein each being secured to the mounting portion of a respective one of the contacts (see Fig. 4).

**In regard to claim 36**, Wilhite modified by Lemke discloses that each of the fusible elements 74 is positioned at least in a part within a respective one of the recesses 70 (see fig. 4).

**In regard to claim 37**, Wilhite modified by Lemke discloses the housing comprises a plurality of projections 68 each located within a respective one of the openings 64, and each projection securely engaging a respective one of the mounting tabs 76 (see Fig.4).

### ***Response to Argument***

Applicant's arguments with respect to claim 34 have been considered but are moot in view of the new ground(s) of rejection.

In regard to Applicant arguments on page 4, that Wilhite does not teach channels extending in a first direction and a mounting tab contacting the housing so that to restrain a contact in the first direction. Examiner disagrees. Wilhite shows channels 16 extending in a first direction and specifically teaches a locking tab 36 engaging a locking aperture 42 to prevent contacts from back out movement (see Col. 3, lines 22-25) which concurrent to the first direction.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Larisa Z Tsukerman whose telephone number is (703)-308-6038. The examiner can normally be reached on Monday through Friday from 8:30 am to 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paula A Bradley can be reached on 703-308-2319. The fax phone numbers for the organization where this application or proceeding is assigned are (703)-308-7722 for regular communications and (703)-308-7724 for After Final communications.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)-308-0956.

L.T.  
June 27, 2003

A handwritten signature in black ink, appearing to read "Tho D. Ta". The signature is fluid and cursive, with a long horizontal stroke at the beginning and a large, stylized "7" at the end.

**THO D. TA**  
**PRIMARY EXAMINER**